

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**AMENDED JUDGMENT IN A CIVIL CASE**

---

**CRAIG GENIER**

**vs.**

**CASE NUMBER: 8:08-CV-1039  
(DEP)**

**MICHAEL J. ASTRUE,  
Commissioner of Social Security**

---

**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED** that Plaintiff's Motion for Judgment on the Pleadings is GRANTED. The Commissioner's determination, review of which was sought by the Plaintiff is VACATED and this matter is REMANDED to the Social Security Administration for further proceedings.

All of the above based upon the decision of the United States Court of Appeals for the Second Circuit dated the 27<sup>th</sup> day of May, 2010 and pursuant to the Order of the Honorable Magistrate Judge David E. Peebles, dated the 17<sup>th</sup> day of August, 2010.

DATED: August 17, 2010

  
Clerk of Court

s/  
\_\_\_\_\_  
Melissa Ennis  
Deputy Clerk